

Appl. No. 10/707,817
Response dated February 27, 2006

REMARKS

By this amendment, claim 9 is amended. Claims 1-9 are pending in the application. The examiner imposed a restriction requirement between the process claims 1-8 and apparatus claim 9 for practicing the process. Applicant hereby elects the invention of claims 1-8 for prosecution on the merits, with traverse.

The restriction of claim 9 is traversed because it is not a separate and distinct invention from claims 1-8. Claim 9 is related as an apparatus for carrying out the process of claims 1-8. Claim 9 is amended to include a means-plus-function limitation paralleling each one of the steps of claim 1. Claim 1 is believed to be allowable, and therefore, no additional searching or burden would be imposed on the examiner because claim 9 would be allowable for the same reasons as claim 1.

Moreover, claim 9 is a linking claim, and should the restriction requirement be made final, applicant would request rejoinder of claim 9.

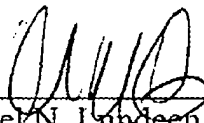
See MPEP (8th Ed.) §806.05(e):

If the apparatus claims include a claim to "means" for practicing the process, the claim is a linking claim and must be examined with the elected invention. If it is ultimately allowed, rejoinder is required. See MPEP § 809.04.

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Withdrawal of the rejections and the restriction requirement, and allowance of all pending claims, are respectfully requested. Should any issues remain that are appropriate to resolution by telephone interview, please contact undersigned counsel.

Respectfully submitted,



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